

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MITCHELL INTERNATIONAL, INC., ET AL.,

Plaintiffs,

v.

MIGUEL GONZALEZ, ET AL.,

Defendants.

CIV. NO. 04-2299 (PG)

ORDER

Upon reviewing the Magistrate Judge's Report and Recommendation ("R&R")--to which no objections were filed--the Court hereby **APPROVES AND ADOPTS** the R&R (**Docket No. 54**) and determines that Mitchell International Inc., ("Mitchell") is entitled to relief under both the Copyright Act of 1976, 17 U.S.C. § 101 et seq., and the Lanham Trademark Act, 15 U.S.C. §1125(a).

Accordingly, defendants Doris García d/b/a Garage García d/b/a Garage López, Pablo Lugo d/b/a Parcelas Auto Body and José Quiñones Valentín d/b/a Taller Quiñones, their officials, directors, employees, servants, agents and all those in active concert and/or participation with them, are hereby permanently enjoined from:

- a. Infringing or assisting any other person or entity in infringing Mitchell's copyrights.
- b. Unfairly competing with Mitchell or assisting any other person or entity in unfairly competing with Mitchell.

Defendants are also ordered to deliver to plaintiffs' representatives for destruction all programs and articles in their possession which infringe plaintiff's copyrights and trademarks.

Furthermore, having determined that defendants willfully violated the Copyright Act, the Court awards damages as follows:

- Defendant Doris García d/b/a Garage García d/b/a Garage López is hereby ordered to pay Mitchell statutory damages in the amount of \$3,500.00.
- Defendant Pablo Lugo d/b/a Parcelas Auto Body is hereby ordered to pay Mitchell statutory damages in the amount of \$4,000.00.
- Defendant José Valentín Quiñones d/b/a Taller Quiñones is hereby ordered to pay Mitchell statutory damages in the amount of \$2,000.00.

Additionally, defendants Doris García d/b/a Garage García d/b/a Garage López, Pablo Lugo d/b/a Parcelas Auto Body and José Quiñones Valentín d/b/a

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Taller Quiñones are hereby ordered to each pay \$1,894.64 to Mitchell as attorney's fees and costs under the Copyright Act.

Likewise, having determined that defendants willfully violated the Lanham Trademark Act, the Court awards damages as follows:

- Defendant Doris García d/b/a Garage García d/b/a Garage López is hereby ordered to pay Mitchell actual damages, which trebled as allowed by §1117(a) of 15 U.S.C., in the amount of \$34,178.13.
- Defendant Pablo Lugo d/b/a Parcelas Auto Body is hereby ordered to pay Mitchell actual damages, which trebled as allowed by §1117(a) of 15 U.S.C., in the amount of \$45,068.13.
- Defendant José Quiñones Valentín d/b/a Taller Quiñones is hereby ordered to pay Mitchell actual damages, which trebled as allowed by §1117(a) of 15 U.S.C., in the amount of \$14,348.13.

Judgment shall be entered accordingly and dismissing all state law claims without prejudice.

IT IS SO ORDERED.

In San Juan, Puerto Rico, August 2, 2006.

S/JUAN M. PEREZ-GIMENEZ
U. S. DISTRICT JUDGE